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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Security Council
Seventy-third year

Letter dated 17 April 2018 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to submit for your attention a statement by the Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan on the anniversary of the occupation of the Kalbajar district of the Republic of Azerbaijan and the April escalation of 2016 (see annex).*

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 35 and 40, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

* The annex is being circulated in the language of submission only.

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Annex to the letter dated 17 April 2018 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Statement by the Press Service of the Ministry of Foreign Affairs on the anniversary of the occupation of the Kalbajar district of the Republic of Azerbaijan and the April escalation of 2016

On April 2, 1993 the Kalbajar district of Azerbaijan was occupied by armed forces of Armenia as a part of its systematic policy of aggression and occupation against Azerbaijan. Kalbajar, which is located beyond administrative boundaries of the former Nagorno-Karabakh Autonomous Oblast (NKAO) of Azerbaijan, was occupied as a result of offensive operation mainly carried out from the territory of Armenia by use of heavy weaponry, Mi–24 helicopter gunships and advanced fixed wing aircraft.

As a result of occupation, around 60.000 inhabitants of Kalbajar were subjected to ethnic cleansing and expelled from their native lands, 511 innocent civilians were killed, 321 persons were taken hostage or went missing. Currently, more than 70.000 Kalbajar residents are temporarily residing in different regions of Azerbaijan as internally displaced persons (IDPs).

Private property of Kalbajar inhabitants was plundered and destroyed. Along with the administrative centre of the Kalbajar district, around 150 villages, dozens of historical-cultural monuments, one museum, Istisu sanatorium, more than 110 libraries, around 100 schools, 9 kindergarten and hospitals were razed to the ground by the armed forces of Armenia.

Serious damage was inflicted on rich historical-cultural heritage of Kalbajar. The Museum of History in the Kalbajar district with its unique collection of ancient coins, ancient cemetery, Albanian cloister and churches in Vang village, Lech castle, Ulukhan castle, Galaboynu castle, Mosques in Kalbajar district and in the villages, Taglidash bridge, Cultural House named after Ashig Shamshir and other historical monuments were destroyed by the armed forces of Armenia.

The original architectural features of the Ganjasar and Khudavank cloisters, belonging to the ancient Albanian Christian heritage of Azerbaijan and having no connection with the Armenian Church, were changed and incorporated into the Armenian Church.

Amidst the ongoing military occupation, natural mineral resources of Kalbajar is subject to illegal exploitation. Since 2002, Base Metals CJSC, which is a wholly owned by subsidiary of the Armenia's Vallex Group CJSC, registered in Liechtenstein, has been exploiting Gyzylbulag underground copper-gold mine near Heyvaly village in the Kalbajar district. Predatory exploitation of that mine led to its almost complete depletion. Since 2007, GPM Gold, a subsidiary of GeoProMining Ltd., has been extracting ore in Soyudlu gold mine. As a result of predatory and illegal exploitation of mineral resources of Kalbajar serious damage has been inflicted on the environment.

The construction of the Vardenis-Aghdara highway through the occupied Kalbajar district of Azerbaijan is directly linked to gaining access to the areas in the occupied territories rich in natural resources and to facilitate extracting goods and minerals out of the occupied territories to Armenia and international markets.

Importing minerals, including gold extracted from the occupied Kalbajar and other regions of Azerbaijan by some western countries without due diligence is a matter of serious concern.

Armenia, in blatant violation of the international humanitarian law, transfers settlers of Armenian origin to the occupied territories, including the Kalbajar district, with a view to changing demographic and ethno-cultural features of these territories, which has also been documented by OSCE fact-finding mission.

In response to the occupation of the Kalbajar district, the President of the United Nations Security Council issued statement on 6 April 1993 on behalf of the Council reaffirming the sovereignty and territorial integrity of all states in the region. Following the Presidential Statement United Nations Security Council adopted Resolution 822, which reaffirmed "the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory" and "demanded immediate withdrawal of all occupying forces from the Kalbajar district and other recently occupied areas of Azerbaijan".

Following the adoption of Security Council resolution 822 (1993), the CSCE Minsk Group, composed of nine countries, worked out the "timetable of urgent steps" to implement the resolution. Instead of withdrawing its armed forces from the occupied territories of Azerbaijan as demanded by UNSCR, Armenia continued its aggression and occupied Agdam, Jabrayil, Gubadly, Fizuli and Zangilan regions of Azerbaijan in 1993. In response, the UN Security Council adopted resolutions 853 (1993), 874 (1993) and 884 (1993) demanding immediate complete and unconditional withdrawal of occupying forces from all occupied territories of Azerbaijan.

In his report to the President of the Security Council dated 27 July 1993, the Chairman of the CSCE Minsk Conference, Mr. Mario Raffaelli, emphasized that the Armenian side had disregarded Security Council demands, launched an attack, seized new territories in Azerbaijan and challenged the mediation efforts towards a settlement.

Armenia until now continues to disregard the implementation demands of UNSCRs.

Escalation of situation along the line of contact on 2 April 2016 as the result of attacks by the armed forces of Armenia on settlements densely populated Azerbaijani civilians with heavy weapons once again demonstrated that the illegal presence of armed forces of Armenia in the occupied territories of Azerbaijan remains major threat to regional peace and security. In response to the attacks of Armenia, the armed forces of Azerbaijan have taken counter measures, which resulted in providing security for the Azerbaijani civilians residing in close vicinity of the line of contact through liberation of strategically important territories and heights from occupation.

Armenia has to understand that occupation of Azerbaijan's lands, including Kalbajar district is temporary. The only way to achieve a durable and lasting settlement is to ensure the unconditional and complete withdrawal of the Armenian armed forces from the occupied territories of Azerbaijan, the exercise by the forcibly displaced persons of their inalienable right to return to their places of origin in safety and dignity. The Armenian side, instead of wasting time and misleading its own people and the international community, must cease its policy of annexation and ethnic cleansing, and comply with its international obligations and to engage constructively in the conflict settlement process.

All responsibility lies with Armenia for the maintenance of status quo of occupation.